Supply of Measles Vaccines in PHCs

*276. SHRI RAVULA CHANDRA SEKAR REDDY:
SHRIMATI N.P. DURGA:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that on account of tender delays, supply of measles vaccines ran out of stock at Primary Health Centres in the country; and

(b) if so, the measures taken to boost its supplies to prevent measles deaths?

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMADOSS): (a) and (b) During 2003-04, some shortages were reported at a few Primary Health Centres (PHCs) in Chattisgarh and NCT of Delhi. These States managed to arrange supply of vaccines by adjustment of stocks from within the State.

The Government has taken following steps to ensure timely supplies of vaccines during the current year:—

(i) Making available the vaccines at PHCs from the buffer stock of last year's supply;

(ii) Placing advance supply order of 25% of this year's requirement; and

Strict monitoring of availability of the Measles vaccines at Districts and PHCs.

Spurious Medicines

*277. SHRIMATI VANGA GEETHA: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether spurious and counterfeit medicines are prevalent in the market in an alarming proportion;

(b) if so, the reasons for not checking entry of such medicines; and

(c) the remedial measures proposed to check the menace effectively and uniformally throughout the country?

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMADOSS): (a) to (e) The term 'Spurious Drug' has been defined under Section 17-B of the Drug and Cosmetics Act, 1940, as amended by the Drugs and Cosmetics (Amendment) Act, 1982. In brief, a drug shall be deemed to be spurious if it is manufactured under a name which belongs to another drug, if it is an imitation of another drug or if it has been substituted wholly or partly by another drug or if it wrongly claims to be the product of another manufacturer.

There is no definition for "counterfeit" drugs under the Drugs and Cosmetics Act, 1940. A drug is popularly termed as 'fake' or counterfeit' by the media when it is maerially copied from a leader brand.

There have been media reports quoting varying figures anywhere from 0.5% to 35% about the alleged extent of circulation of spurious drugs in the country. However, as per the feedback available from the Drugs Controllers of States/UTs, 36924, 38824, 36314, 39465 drug samples were tested during the period 2000-01, 2001-02, 2002-03 and 2003-04 out of which 112, 96, 125 and 108 samples respectively were found spurious which is 0.3, 0.25, 0.34 and 0.27 percent of the samples reported spurious whereas for the last three years around 10% of the samples tested were found to be not of standard quality. Thus, it does not appear that spurious and counterfeit medicines are prevalent in the market in alarming proportions. However, the Government had taken a serious note of such reports and constituted an expert committee under the Chairmanship of Dr. R.A. Mashelkar in January, 2003 to undertake a comprehensive examination of drug regulatory issues including spurious drugs in the country.

Based on the recommendations of Dr. R.A. Mashelkar Committee, a legislation to amend the penal provisions of Drugs and Cosmetics Act, 1940, and to provide for stricter penalties to the offenders including a maximum penalty of capital punishment, was introduced in the Parliament in December, 2003.

The salient amendments proposed under the Bill are given below:—

1. Enhance the punishments relating to spurious or adulterated drugs

leading to death or grievous hurt within the meaning of Section 320 IPC upto punishment of death or imprisonment for a term which shall not be less than 10 years but which may extend to imprisonment for life and shall also be liable to fine of one lakh rupees or upto three times the value of the goods seized, whichever is higher.

2. Penalties for subsequent offences to be enhanced upto 10 years and with fine which shall not be less than one lakh rupees.

3. Offences relating to spurious or adulterated drugs to be made non-bailable and cognizable.

4. Provision for setting up of special courts to try offences of spurious or adulterated drugs.

5. To confer powers upon police offecers not below the rank of sub-inspector or other designated officer to institute prosecutions under the said Act.

6. Provision for compounding of offences for minor offenees under the Act.

The proposed amendments will make the law deterrent to the offenders involved in the manufacture or sale of spurious drugs. The involvement of enforcing agencies like Police will help in speedy investigations to book the culprits and in controlling anti-social elements involved in such activities.

Since the Bill has now lapsed with the dissolution of previous Lok Sabha, necessary action to introduce a bill to enhance penalties for manufacture and/or sale of spurious and/or adulterated drugs under the Drugs & Cosmetics Act, 1940, will be initiated by the Ministry of Health & Family Welfare.

Import of Chemicals

*278. SHRI S.P.M. SYED KHAN: Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether Government have banned import of any chemical used in the pharmaceutical sector during the years 2002—04;